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April 19, 2021

By ECF

Hon. Colleen McMahon
United States District Court Judge
Southern District of New York
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

MEMO ENDORSED

OK

Conference adjourned
to 6/11/2021 @ 10:00 AM

Re: Pinto v. City of New York, et al., No. 20-cv-10154- (CM)

Your Honor:

This office represents the defendants the City of New York, the New York City Police Pension Fund ("the Fund") and the New York City Police Department ("NYPD"). We respectfully submit this letter application seeking a 45-day enlargement of the time to answer the complaint and as a result, a corresponding adjournment of the initial pretrial conference scheduled for April 23, 2021 at 10:00 A.M. The time to answer the complaint was previously enlarged by so-ordered stipulation to May 6, 2021 (ECF Dkt. 13). Plaintiff, through counsel, agreed to a 20-day adjournment.

This application is necessary for several reasons. First, counsel for defendants has not been able to work on this matter due to unanticipated health issues for the past two months, and is currently recovering from a hospitalization last week. Second, the parties initiated settlement discussions and exchanged proposals in late March. In light of the interest of all parties to reach an amicable settlement, defendants propose that this matter be referred to court-supervised mediation, for further settlement discussions. Plaintiff agreed to a 20-day adjournment of the dates as sufficient time to reach a settlement; however, defendants advised plaintiff the City will need at least several weeks to obtain any Comptroller authority.

Accordingly, defendants respectfully request the initial pretrial conference be adjourned from April 23, 2021 to June 7, 2021, or a date thereafter convenient to the Court, and that the time to answer the complaint be enlarged from May 6, 2021 to June 21, 2021.

Respectfully submitted,

/s/

Jerald Horowitz

Cc: Stephen Drummond